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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/691,215

10/22/2003

Nancy B.M. Stefanuk

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EXAMINER

CHU, RANDOLPH I

ART UNIT

PAPER NUMBER

2624

MAIL DATE

DELIVERY MODE

08/29/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/691,215	Applicant(s) STEFANUK, NANCY B.M.	
	Examiner RANDOLPH CHU	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,11 and 14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,11 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

In response to applicant's amendment received on 5/20/2008, all requested changes to the claims have been entered.

Response to Argument

1. Applicant's arguments filed on 5/20/2008 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 11 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 6,351,553 to Hayosh.

With respect to claim 1, Hayosh teaches, sheet material having a first area portion (Fig. 1, Area other than magnetic ink character recognition (MICR) is printed), and a second area portion (Fig. 1, Area that MICR is printed) which is different from the first area portion; means defining at least one symbol which is pre-printed on the first area portion of the sheet material (Fig. 1, Symbols other than MICR); and means for storing on the second area portion of the sheet material encoded information including apriori reference image quality data (Fig. 1 MICR) which is representative of at least one image quality, characteristic of associated with the at least one symbol which is pre-printed on the first area portion of the sheet material (Abstract, col. 3 lines 12-31).

With respect to claim 2, Hayosh teaches, sheet material having a first area portion (Fig. 1, Area other than magnetic ink character recognition (MICR) is printed) and a second area portion (Fig. 1, Area that MICR is printed) which is different from the first area portion; at least one symbol which is other than a magnetic ink character recognition (MICR) code line and which is pre-printed on the first area portion of the sheet material (Fig. 1, Symbols other than MICR); and means for storing on the second area portion of the sheet material encoded information including apriori reference image quality data (Fig. 1 MICR; or bar code) which is representative of at least one image quality characteristic of associated with the at least one symbol which is other than a MICR code line and which is pre-printed on the first

area portion of the sheet material (Abstract; col. 3 lines 12-31; col. 6 lines 53-58).

With respect to claim 11, Hayosh teaches, storing on the second area portion of the financial document encoded information including apriori reference image quality data (Fig. 1, Area that magnetic ink character recognition (MICR) is printed) which is representative of an image quality characteristic of associated with at least one symbol which is pre-printed on the first area portion (Fig. 1, Area other than MICR is printed) of the financial document;

receiving image data which is representative of the image of the financial document (Fig. 1);

retrieving the stored apriori reference image quality data from the encoded information stored on the second area portion of the financial document (Fig. 4, ref label 66); comparing the retrieved apriori reference image quality data with the received image data to determine the image quality of the symbol which is pro-printed on the first area portion of the financial document (Fig. 4, ref label 72); and

providing an indication of quality of the image of the financial document based upon the comparison of the retrieved apriori reference image quality data with the received image data (Fig. 4, ref labels 76 and 78).

With respect to claim 14, Hayosh teaches, storing on the second area portion of the check encoded information including apriori reference image quality data data (Fig. 1, Area that magnetic ink character recognition (MICR) is printed; col. 6 lines 53-58)

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which is representative of an image quality characteristic associated with a symbol which is other than a magnetic ink character recognition (MICR) code line and which is pre-printed on the first area portion of the check (Fig. 1, Area other than MICR is printed);

receiving image data which is representative of the image of the check (Fig. 1);

retrieving the apriori reference image quality data from the encoded information stored on the second area portion of the financial document (Fig. 4, ref label 66);

comparing the retrieved apriori reference image quality data with the received image data to determine the image quality of the symbol which is other than a MICR code line and which is pre-printed on the first area portion of the check (Fig. 4, ref label 72); and

providing an indication of quality of the image of the check based upon the comparison of the retrieved apriori reference image quality data with the received image data (Fig. 4, ref labels 76 and 78).

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randolph Chu whose telephone number is 571-270-1145. The examiner can normally be reached on Monday to Thursday from 7:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on 571-272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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/Matthew C Bella/

Supervisory Patent Examiner, Art Unit 2624